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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,182	09/12/2003	Jeffrey A. Hamilton	E008.PAT-1	9435
65342	7590	03/15/2011	EXAMINER	
EMERY L. TRACY			TANG, SON M	
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BOULDER, CO 80306			ART UNIT	PAPER NUMBER
			2612	
			MAIL DATE	DELIVERY MODE
			03/15/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/662,182	<b>Applicant(s)</b> HAMILTON ET AL
	<b>Examiner</b> SON M. TANG	<b>Art Unit</b> 2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 19 November 2010.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 72-103,105-118,120 and 121 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 72-103,105-118,120 and 121 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### **Drawings**

1. The drawings were received on 11/19/2010. These drawings are acceptable.

### **Terminal Disclaimer**

2. The terminal disclaimer filed on 11/19/2010 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of patent US 6,950,013 has been reviewed and is accepted. The terminal disclaimer has been recorded.

### **Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **72-73, 76-85, 89, 90-93, 96-97, 99 and 102-103, 105-109, 111, 113-116 and 120-121** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Sahmosh et al.** [US 5,144,661; Sahmosh] in view of **Lemelson et al.** [US 5,731,785; Lemelson].

**Regarding claim 72:** Sahmosh discloses a remote information downloading device (34) for wireless (radio frequency) access to and downloading (transferring) of vehicle information from a remote on-board vehicle incident recording system (10), the downloading device comprising:

-at least one interface (met by modem 42) communicating with and remotely accessing

and receiving incident data from the vehicle incident recording system (10);

-an information datalink (met by a link connects between modem (42) and computer (46) shown in Fig. 2) coupled to said interface (modem 42) for transferring said received incident data from said interface (42);

-a transceiver (which inherently included in the Modem 42 for transmitting/receiving data) coupled to said information datalink for accessing, receiving, downloading and transmitting said vehicle information from the vehicle incident recording system (10), wherein the interface (Modem 42) is a transceiver included for downloading of information from said recording system [as shown in Figs. 1-2, col. 4, lines 60-68 to col. 5 lines 1-7], Sahmosh does not specifically show that Modem (42) includes a download trigger for initiating downloading, however, Sahmosh mentioned that the computer (46) sends a command to the memory unit converter (26) to retrieve images and audio data from the memory 28 of the vehicle incident recording system [see col. 4, lines 66-68], that command signal send through Modem (42) which causes Modem for initiating the downloading function. Therefore, it would have been obvious of one having ordinary skill in the art to recognize that Modem (42) would included a download trigger for initiating downloading function, that controls by the command from computer (46), so that the Modem (42) only performing the downloading when computer requested.

**Sahmosh** does not specifically mention that the interface is a limited access interface, **Lemelson** teaches a communication system that comprises of inputting security access code (PIN) from the monitor control center device that permits to access information at remote unit (10) [see Figs. 2, col. 4, lines 48-52, col. 5, lines 3-36 and col. 6, lines 5-20], by prohibiting to access to remote unit unless (PIN) is matched, would limit access to the remote unit by

unauthorized person. It would have been obvious of one having ordinary skill in the art at the time the invention was made to limit access interface as suggested by Lemelson, with the system of Sahmosh, so that, the downloading information can be secured only to authorized personnel.

**Regarding claim 73:** Sahmosh further mention that the video and audio information received from the system (10) are stored in the computer by conventional means [col. 4, lines 45-46], which constitutes of remote information downloading device (34) includes an information storage device coupled to said vehicle incident recording system via radio link for capturing and storing said vehicle information .

**Regarding claim 76:** Sahmosh further teaches that vehicle information comprises identification information [col. 6, lines 33-35].

**Regarding claims 77 and 83:** Sahmosh teaches that vehicle information comprises video and audio information [col. 4, lines 20-22].

**Regarding claims 78-82, 84:** The claimed limitations “playing means for displaying said vehicle information comprises an off-board visual output interface to display, viewing video information and playing audio information on a display screen” are met by the video monitor and sound display (48) of Fig. 2.

**Regarding claim 85:** Sahmosh further teaches vehicle information comprises time information [col. 6, line 33].

**Regarding claim 89:** Sahmosh further teaches that computer (46) sends a command to the memory (28) to retrieve information [col. 4, lines 66-68] and the command is transmitted to the Modem, that the Modem responds to the command, that constitutes of download triggered in respond to transmitted instruction.

**Regarding claim 90:** Sahmosh discloses that command sends to remote device (10) for downloading recorded information, but does not specifically mention that command is an electronic access code, Lemelson teaches a system that comprises of inputting security access code (PIN) from the monitor control center device that permits to access information at remote unit (10) [see Figs. 2, col. 4, lines 48-52 and col. 5, lines 3-7]. It would have been obvious of one having ordinary skill in the art at the time the invention was made to have an access code (PIN) as suggested by Lemelson inserted into the command sends by Sahmosh, so that, the downloading information can be secured by an authorized personnel.

**Regarding claim 91:** Sahmosh further teaches an encryption device (36) for encrypting information [see Fig. 1].

**Regarding claim 92:** Sahmosh further teaches decryption device (41) for decrypting information [see Fig. 2].

**Regarding claim 93:** Sahmosh discloses that information is stored in computer (46) which remote from the vehicle [col. 4, lines 45-46].

**Regarding claim 94:** Sahmosh discloses a Modem (42) which inherently includes transceiver whwhich used to transmit/receive data to/from other device that have the same compatible transmit/receive Modem, Sahmosh does not specifically show that the transceiver is adapted to transmit information to an off-site location. Since, Modem is commonly configured to communicate with any other compatible Modems of other system, which includes any off-site location systems. Therefore, it would have been obvious of one having ordinary skill in the art at the time the invention was made, to recognize that the transceiver with in the Modem (42) is capable of transmitting information to any off-site location.

**Regarding claims 96, 114:** Sahmosh and Lemelson made obvious above, Lemelson further teach transmission link is direct satellites uplinks/downlink [see Fig. 1-2]. It would have been obvious one having ordinary skill in the art to use satellite link technology as suggested by Lemelson, for the benefit of wider coverage area.

**Regarding claim 97:** Sahmosh further teaches that computer send command to Modem (42) to retrieve information from the memory (28) of the remote incident recording system (10) [col. 4, lines 66-68], that constitutes of transceiver provides a transmission trigger for initiating transmission of information to an information storage device.

**Regarding claim 99:** Sahmosh further shows that computer (46) sends command to the remote memory (28) to retrieve the images and audio [col. 4, lines 66-68].

**Regarding claim 102:** Sahmosh shows that the base device (34) is remote from the vehicle that receives information from the vehicle's memory for observing, which constitutes of a stationary facility.

**Regarding claim 103:** Sahmosh discloses that the remote incident recording device (10) is used to gather information that protection against crime and accident, etc., that can be installed at any environment that needed to protect, and the recorded information is used to analyze the incident, but Sahmosh does not specifically mention that the recorded information is transmitted to the police station. As Sahmosh had showed that remote incident recording device (10) is for gathering incident information, which to be analyzed at the base station, whichever the case is going to be involved, (i.e. police, insurance, hospital etc.). Therefore, it would have been obvious of one having ordinary skill in the art to recognize that recorded incident would be observed by personnel authority that may be involved in the case, such as police department.

**Regarding claim 104:** Sahmosh disclose all the limitations as described above, except for not specifically show that interface is a limited access interface. Since, Modem (30) merely triggered the download procedure upon whenever it requested from computer (46), which made the modem to limit the access to device. Therefore, it would have been obvious of one having ordinary skill in the art at the time the invention was made to recognize that, the modem is a limited access interface that only trigger when necessary.

**Regarding claims 105, 107-108:** Sahmosh discloses a method for remotely accessing and downloading (retrieving) stored information from a recording system (memory 28) located on vehicle, comprising steps of:

-remotely activating a downloading device (34) having an interface (modem 42) for accessing and downloading said stored information (images and audio) from said recording system (memory 28 of system 10 in Fig. 1);

-remotely receiving and displaying said downloading information [see Figs. 1-2 col. 4, lines 20-68]. **Sahmosh** does not specifically mention of inputting an electronic access code.

**Lemelson** teaches a communication system that comprises of inputting security access code (PIN) from the monitor control center device that permits to access information at remote unit (10) [see Figs. 2, col. 4, lines 48-52, col. 5, lines 3-36 and col. 6, lines 5-20], by prohibiting to access to remote unit unless (PIN) is matched, would limit access to remote unit by unauthorized personnel. It would have been obvious of one having ordinary skill in the art at the time the invention was made to implement an access code as suggested by Lemelson, to the system of Sahmosh, so that, downloading information from remote unit can be secured only to authorize personnel.

**Regarding claim 106:** Sahmosh discloses information is a vehicle identification [col. 6, line 34].

**Regarding claim 109:** Sahmosh discloses information comprises time of occurrence information [col. 6, line 33].

**Regarding claim 115:** Sahmosh discloses capturing and storing said information by video/audio recording unit (24) [see Fig. 1].

**Regarding claim 116:** Sahmosh further discloses that storing said information remotely in memory of computer (46) [col. 6, lines 49-50].

**Regarding claim 120:** Sahmosh further discloses an encryption device (36) for encrypting information prior to transfer.

**Regarding claim 121:** Sahmosh further discloses a decryption device (41) for decrypting received information.

5. Claims 88, 94-95, 98, 100-101 and 112 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Sahmosh et al.** in view of **Lemelson**, and further in view of **Horvat** [US 4,591,823].

**Regarding claims 88, 98:** Sahmosh and Lemelson disclose all the limitations as described above, except for not specifically show that the trigger adapted to respond to the occurrence of a predetermined event, **Horvat** teaches that a monitor transceiver (8, 12) which comprises a vehicle detector (76), whereby, the monitor transceiver receives information from vehicle upon vehicle has passed and detected by vehicle detector (76) [see Fig. 3, col. 5, lines 24-42], that constitutes of transmission trigger is adapted to respond to the occurrence of a

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predetermined event (vehicle detected). It would have been obvious of one having ordinary skill in the art at the time the invention was made, to have a predetermined event that trigger transmission as suggested by Horvat, for benefit of conserving energy and conserving memory space, whereby, the downloading device merely downloads necessary incident.

**Regarding claims 100-101:** Sahmosh and Lemelson disclose all the limitations as described above, except for not specifically show that the device is adapted for use in a police vehicle. As Sahmosh and Harvat made obvious above, **Harvat** further teaches that the monitor transceiver (8, 12) is adapted to use as either stationary device or mobile device in police patrol vehicle [col. 3, lines 60-64]. It would have been obvious of one having ordinary skill in the art at the time the invention was made, to have the device that be able to use as stationary and mobile in police vehicle as suggested by Horvat, so that, police patrol is able to access and identify any violation to the vehicle.

**Regarding claims 94, 112:** Sahmosh and the combination made obvious above, **Horvat** further teaches that the information can be transmit to central processor at motor vehicle dept. (off-site location) via transceiver modem (86) of Figs. 3 and 12. In that, it would have been obvious of one having ordinary skill in the art at the time the invention was made to recognize that, the recorded information can be retransmitted to next location (off-site location) by modem as suggested by Horvat.

**Regarding claims 95:** Sahmosh and the combination made obvious above, Sahmosh further shows two-way communication between Modem (30) and Modem (42) via radio frequency, that radio frequency is constitutes of transmission link.

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6. Claims **74-75, 86-87, 110 and 117-118** are rejected under 35 U.S.C. 103 (a) as being unpatentable over **Sahmosh** in view of **Lemelson**, and further in view of **Kikinis** [US 5,815,093].

**Regarding claims 74-75, 117-118:** Sahmosh and Sahmosh disclose all the limitations as described above, except for not specifically mention that the storage device is a solid state storage device is known as Flash memory and prevent of overwritten, **Kikinis** teaches a vehicle log data comprises a Flash memory (15) that stores vehicle accident events and prevent overwritten in flash memory [see Fig. 1, col. 6, lines 58-65], which the next information being recorded into the next available sector. Therefore, it would have been obvious of one having ordinary skill in the art at the time the invention was made, to use a Flash storage device to record vehicle incident event as suggested by Kikinis, for the benefit that Flash storage device is a flexible type of storage device, in the ways that is compact and can be removable.

**Regarding claims 86-87, 110:** Sahmosh and the combination made obvious above, Kikinis further teaches that recorded information comprises vehicle dynamic information and vehicle control information such as (speed, location, rollover, brake and steering etc.). It is obvious to one having ordinary skill in the art that dynamic information as taught by Kikinis can be used for analyzing the incident pattern.

#### **Response to Arguments**

7. Applicant's arguments filed 11/19/2001 have been fully considered but they are not persuasive.

Applicant argued:

- (1) The present invention is a two way device...can also receive data/video from the recording device as pre-programmed for alarm situations.
- (2) Shamosh does not have coded access that restricting use or access by any number of users.

Examiner responsive:

- (1) It appears that the limitation: "receive data/video from the recording device as pre-programmed for alarm situations" is not claimed, at least not claimed in any of the independent claims. Further more, Shamosh discloses that sensor (12) activated upon an alarm condition, the control sequencer (14) and other component of system (10) are activated that transmits vehicle incident recording data to the base (34) [see col. 6, lines 4-35]. In that, the recording device at base station is capable to receive data/video from the remote recording device as pre-programmed for alarm situations.
- (2) As described in the claims rejection above, Lemelson et al. teach a portable remote unit comprising a limited access feature, that requires a coded access (i.e. PIN) in order to access to the portable unit, so that only authorized person is able to access to the remote unit. Since the inventions are both related to access to the remote recording unit, it is obvious that security coded would be a wise motivation for security purpose as suggested by Lemelson. In that, Shamosh and Lemelson are perfectly combinable.

**Conclusion**

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

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MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SON M. TANG whose telephone number is (571)272-2962. The examiner can normally be reached on 5/8.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (571)272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. M. T./  
Examiner, Art Unit 2612

/Daniel Wu/  
Supervisory Patent Examiner, Art Unit 2612